

## **THE CLAIMS:**

This Listing Of Claims will replace all prior versions, and listings, of claims in the application.

### **LISTING OF CLAIMS:**

1. to 2. (Canceled)

3. (Withdrawn) The recombinant RSV of claim 1, wherein the phosphoprotein comprises a deletion of at least one amino acid residue.

4. to 12. (Canceled)

13. (Withdrawn) The recombinant RSV of claim 1, wherein the phosphoprotein comprises a deletion of a plurality of amino acid residues selected from residues 172-176.

14-17 (Canceled).

18. to 20. (Canceled)

21. (Withdrawn) The recombinant RSV of claim 19, wherein the at least one substituted amino acid residue replaces a serine at one or more positions selected from the group consisting of positions 116, 117, 119, 232 and 237.

22. (Withdrawn) The recombinant RSV of claim 21, wherein the phosphoprotein comprises amino acid substitution S116D, amino acid substitution S116A or amino acid substitution S116L, or wherein the phosphoprotein is an artificial conservative variation of such a phosphoprotein.

23. (Withdrawn) The recombinant RSV of claim 21, wherein the phosphoprotein comprises amino acid substitution S117D, amino acid substitution S117A, or amino acid substitution S117R, or wherein the phosphoprotein is an artificial conservative variation of such a phosphoprotein.

24. (Withdrawn) The recombinant RSV of claim 21, wherein the phosphoprotein comprises amino acid substitution S119D, amino acid substitution S119A, or amino acid substitution S119L, or wherein the phosphoprotein is an artificial conservative variation of such a phosphoprotein.

25. (Withdrawn) The recombinant RSV of claim 21, wherein the phosphoprotein comprises amino acid substitution S232A or amino acid substitution S232D,

or wherein the phosphoprotein is an artificial conservative variation of such a phosphoprotein.

26. (Withdrawn) The recombinant RSV of claim 21, wherein the phosphoprotein comprises amino acid substitution S237A or amino acid substitution S237D, or wherein the phosphoprotein is an artificial conservative variation of such a phosphoprotein.

27. (Withdrawn) The recombinant RSV of claim 21, wherein substituted amino acid residues replace serines at positions 117 and 119.

28. (Withdrawn) The recombinant RSV of claim 27, wherein the phosphoprotein comprises an amino acid substitution selected from the group consisting of S117A, S117D and S117R and an amino acid substitution selected from the group consisting of S119A, S119D and S119L, or wherein the phosphoprotein is an artificial conservative variation of such a phosphoprotein.

29. (Withdrawn) The recombinant RSV of claim 21, wherein substituted amino acid residues replace serines at positions 116, 117 and 119.

30. (Withdrawn) The recombinant RSV of claim 29, wherein the substituted amino acid residue at position 116 is selected from the group consisting of alanine (S116A), aspartic acid (S116D) and leucine (S116L), or wherein the phosphoprotein is an artificial conservative variation of such a phosphoprotein.

31. (Withdrawn) The recombinant RSV of claim 29, wherein the substituted amino acid residue at position 117 is selected from the group consisting of alanine (S117A), aspartic acid (S117D) and arginine (S117R), or wherein the phosphoprotein is an artificial conservative variation of such a phosphoprotein.

32. (Withdrawn) The recombinant RSV of claim 29, wherein the substituted amino acid residue at position 119 is selected from the group consisting of alanine (S119A), aspartic acid (S119D) and leucine (S119L), or wherein the phosphoprotein is an artificial conservative variation of such a phosphoprotein.

33. (Withdrawn) The recombinant RSV of claim 29, wherein the phosphoprotein comprises an amino acid substitution selected from the group consisting of S116L, S116A, and S116D; an amino acid substitution selected from the group consisting of S117R, S117A, and S117D; and an amino acid substitution selected from the group consisting of S119L, S119A, and S119D, or wherein the phosphoprotein is an artificial conservative variation of such a phosphoprotein.

34. (Withdrawn) The recombinant RSV of claim 21, wherein substituted amino acid residues replace serines at positions 232 and 237.

35. (Withdrawn) The recombinant RSV of claim 34, wherein the substituted amino acid residue at position 232 is selected from the group consisting of alanine (S232A) and aspartic acid (S232D), or wherein the phosphoprotein is an artificial conservative variation of such a phosphoprotein.

36. (Withdrawn) The recombinant RSV of claim 34, wherein the substituted amino acid residue at position 237 is selected from the group consisting of alanine (S237A) and aspartic acid (S237D), or wherein the phosphoprotein is an artificial conservative variation of such a phosphoprotein.

37. (Withdrawn) The recombinant RSV of claim 34, wherein the phosphoprotein comprises an amino acid substitution selected from the group consisting of S232A and S232D and an amino acid substitution selected from the group consisting of S237A and S237D, or wherein the phosphoprotein is an artificial conservative variation of such a phosphoprotein.

38. (Withdrawn) The recombinant RSV of claim 21, wherein substituted amino acid residues replace serines at positions 116, 117, 119, 232 and 237.

39. (Withdrawn) The recombinant RSV of claim 38, wherein the substituted amino acid residue at position 116 is selected from the group consisting of leucine (S116L), alanine (S116A) and aspartic acid (S116D), or wherein the phosphoprotein is an artificial conservative variation of such a phosphoprotein.

40. (Withdrawn) The recombinant RSV of claim 38, wherein the substituted amino acid residue at position 117 is selected from the group consisting of arginine (S117R), alanine (S117A) and aspartic acid (S117D), or wherein the phosphoprotein is an artificial conservative variation of such a phosphoprotein.

41. (Withdrawn) The recombinant RSV of claim 38, wherein the substituted amino acid residue at position 119 is selected from the group consisting of leucine (S119L), alanine (S119A) and aspartic acid (S119D), or wherein the phosphoprotein is an artificial conservative variation of such a phosphoprotein.

42. (Withdrawn) The recombinant RSV of claim 38, wherein the substituted amino acid residue at position 232 is selected from the group consisting of alanine (S232A) and aspartic acid (S232D), or wherein the phosphoprotein is an artificial conservative variation of such a phosphoprotein.

43. (Withdrawn) The recombinant RSV of claim 38, wherein the substituted amino acid residue at position 237 is selected from the group consisting of alanine (S237A) and aspartic acid (S237D), or wherein the phosphoprotein is an artificial conservative variation of such a phosphoprotein.

44. (Withdrawn) The recombinant RSV of claim 38, wherein the phosphoprotein comprises an amino acid substitution selected from the group consisting of S116L, S116A, and S116D; an amino acid substitution selected from the group consisting of S117R, S117A, and S117D; an amino acid substitution selected from the group consisting of S119L, S119A, and S119D; an amino acid substitution selected from the group consisting of S232A and S232D; and an amino acid substitution selected from the group consisting of S237A and S237D, or wherein the phosphoprotein is an artificial conservative variation of such a phosphoprotein

45. (Canceled)

46. (Currently amended) An isolated nucleic acid encoding a replicating recombinant respiratory syncytial virus (RSV) having an attenuated phenotype and comprising a phosphoprotein (P), which phosphoprotein comprises at least one mutated amino acid residue.

47-52. (Canceled).

53. (Canceled)

54. (Canceled)

55. (Previously presented) A live attenuated respiratory syncytial virus vaccine comprising an immunologically effective amount of a recombinant RSV encoded by the nucleic acid of claim 46.

56-57. (Canceled).

58. (Withdrawn) A method for stimulating the immune system of an individual to produce an immune response against RSV, the method comprising administering to the individual the recombinant RSV of claim 1 in a physiologically acceptable carrier.

59. (Withdrawn) The method of claim 58, wherein the immune response is a protective immune response.

60. (Withdrawn) The method of claim 58, wherein the recombinant RSV is administered to the upper respiratory tract of the individual.

61-240. (Canceled).

241. (Previously presented) The isolated nucleic acid of claim 46, wherein the mutated amino acid residue in the phosphoprotein confers a temperature-sensitive N-P interaction.

242. (Previously presented) The isolated nucleic acid of claim 46, wherein the phosphoprotein comprises at least one substituted amino acid residue.

243. (Previously presented) The isolated nucleic acid of claim 46, wherein the phosphoprotein comprises at least one mutated amino acid residue at a position selected from the group consisting of position 172, position 174, position 175 and position 176.

244. (Previously presented) The isolated nucleic acid of claim 46, wherein the phosphoprotein comprises at least one substituted amino acid residue at a position selected from the group consisting of position 172, position 174, position 175 and position 176.

245. (Previously presented) The isolated nucleic acid of claim 46, wherein the at least one mutated amino acid residue eliminates a phosphorylation site.

246. (Previously presented) The isolated nucleic acid of claim 46, wherein the phosphoprotein comprises at least one substituted amino acid residue, which substituted amino acid residue eliminates a phosphorylation site.

247. (Previously presented) The isolated nucleic acid of claim 46, wherein the recombinant RSV comprises a human RSV of subgroup A, subgroup B or a chimera thereof.

248. (New) The isolated nucleic acid of claim 46, wherein the phosphoprotein comprises a substituted amino acid residue at amino acid positions 172 and 176.

249. (New) The isolated nucleic acid of claim 243, wherein the phosphoprotein comprises at least one mutated amino acid residue at a position selected from the group consisting of position 174, position 175 and position 176.

250. (New) The isolated nucleic acid of claim 244, wherein the phosphoprotein comprises at least one substituted amino acid residue at a position selected from the group consisting of position 174, position 175 and position 176.